

STATE LAND USE PLANNING ADVISORY COUNCIL

DRAFT

Minutes

January 20, 2005

Meeting Location

Tonopah Convention Center
Brougner Street
Tonopah, Nevada

Members Present (Eleven)

Mert Mickelson, alt. for Churchill County
Larry Walsh, Douglas County
Chuck Pulsipher alt. for Clark County
Sheri Eklund-Brown, Elko County
Varlin Higbee, Lincoln County
Sheldon Bass, Nye County
Art Johnson alt. for Mineral County
Mickey Yarbrow, Lander County
Bill Diest, alt. for Humboldt County
Bret Tyler, alt for Storey County
Michael Mears, Eureka County

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Members Absent (Six)

Roger Mancebo, Pershing County-Chair
David Provost, White Pine County
David Fulstone, Lyon County-Vice Chair
Bill Whitney, Washoe County
Pete Livermore, Carson City

Others Present

Pamela Wilcox, NV Division of State Lands
Jim Lawrence, NV Division of State Lands
Skip Canfield, AICP, Division of State Lands
William Kirby, Esmeralda County
Clinton Wertz, NV Division of State Lands
Holly Smith NV Division of State Lands
Kevin Hill, NV Division of State Lands
Betty Easley, Mineral County RPC
Neil Wendt, Mineral County RPC
Glenn Bunch, Mineral County RPC
Louis Lani, Lander County Public Lands
Advisory Commission
Joy Brandt, Lander County

Sandy Reed- Bottino, Southern NV water
Authority
Paul Stangl- UNR
Anne Thomas- UNR
Charles Dupre- Pahrump RPC
Pamela White- Friends of NV Wilderness
Stan Wallis- City of Caliente
Bill Wolf- NV Division of Forestry
Lisa Ortega- NV Division of Forestry
Glennon Zelch- Town of Pioche
Nancy Boland- Esmeralda County
James Medlin
Kaye Allisen-Medlin

CALL TO ORDER

Mickey Yarbrow called the meeting to order at 7:00 pm.

Self-introductions were made by all audience and council members present. **Mickey Yarbrow** (who was acting chair due to the absence of Roger Mancebo- Chairman and David Fulstone, Vice Chairman) welcomed all to the meeting.

Prior to approving the draft minutes for the June 30, 2004 SLUPAC meeting, **Mr. Yarbrow** asked if there were any proposed changes or comments. **Sheri Eklund-Brown** suggested that minor typographical changes that had been submitted earlier by email to **Clint Wertz** be included in the revised minutes. She then motioned to approve the minutes which was seconded by **Michael Mears**. The motion was approved by an affirmative vote of all members present.

AGENCY REPORT

Pamela Wilcox gave an overview of the NV Division of State Lands functions. She welcomed newcomers to SLUPAC and the conference attendees present. Ms. Wilcox stated that SLUPAC was started after several failed efforts in the 1970's at the federal level to institute widespread land use laws.

Ms. Wilcox explained the primary agency functions including the hosting of SLUPAC by SLUPA, the State Land Use Planning Agency. She described how SLUPA can provide technical planning assistance to counties, such as (updating master plans, zoning ordinances and mapping) when requested by local government. She encouraged those present to speak with planning staff to get more information. She then explained the agency's second part of the agency's mission includes monitoring public land issues on federally managed lands, and how SLUPAC advises her office on matters related to land use planning in Nevada.

Ms. Wilcox then described the importance and uniqueness of SLUPAC to the audience. It is the only statewide council with one member from each of the 17 counties. This she said provides an important forum for discussions land use planning challenges facing Nevada's local governments.

Skip Canfield presented the State Land Use Planning Agency report. **Mr. Canfield** gave a brief description of the function of the agency which includes a federal lands planning program and a technical assistance program which offers free planning services to Nevada's counties. He described ongoing efforts of the agency for both local planning and federal land management issues.

- Nevada Division of State Lands has been involved with the statewide public land policy plan update. **Mr. Canfield** stated he was in the process of updating the plan. In addition he stated that these efforts were occurring concurrently with local public land policy plans updates in Lander, Elko, White Pine, Eureka and counties. He has had ongoing meetings with various Public Land Use Advisory Councils (PLUACS). Several other counties have made recent requests for local assistance including; Esmeralda, Mineral, Lincoln, Pershing and Humboldt Counties.

- Southern Nevada Public Lands Management Act (SNPMLA) of 1998- **Mr. Canfield** stated that he and **Ms. Wilcox** will be involved in the ranking of round six of land disposals and expenditures of the funds in Clark County and statewide. The planning agency responds to local concerns and acquisitions stemming from the SNPLMA process. **Ms. Wilcox** represents the state on the working group that ranks the nominations. **Mr. Canfield** recommended that counties should make comments regarding any possible nominations.

COUNTY PLANNING ISSUES

Mr. Yarbro asked for SLUPAC members to provide an update on their pertinent planning issues.

Michael Mears-Eureka County

- A new \$390 million coal fired power plant is being planned by Newmont mining in Boulder Valley. It is expected to break ground in March 05.
- Barrick Ruby Hill Mine is open with a potential for 100-150 new jobs. Startup is late summer 05.
- An atlas has been created for Eureka County. While intended to improve EMS services the guide has been useful in a variety of local govt. functions.
- Mr. Mears passed around several copies for review.

Mert Mickelson- alternate for Churchill

- There are three new planning commission members. Each underwent 4 hours of training but more training is still needed due to the issues faced in Churchill County with rapid growth.
- The county is planning 2 workshops with the community to explain design standards for new subdivisions.
- A new Wal-Mart is proposed but it needs access to the new county water and sewer system. The city water utility will not grant access to existing water supplies where as the county would like to see the water line extended to serve the store.

Bret Tyler- Storey County

- The proposed Wal-Mart distribution center is moving forward. Over 600 jobs would be created as a result.
- Storey County is attempting to recover lost sales tax revenue from Washoe County as a result of zip codes boundaries used to calculate county proceeds.
- Flood control projects along the Truckee River are ongoing with the US Army Corps of Engineers and Washoe County.
- There is special concern about this years high snowpack and the development along Rainbow Bend. There will be talks related to relocating some development along the river. The 100 year event has already occurred twice in the past 20 years.

Bill Kirby- Esmeralda County

- **Mr. Kirby** depicted the budget outlook for the county as good. He described a recent lawsuit brought by the Center Biological Diversity, based in New Mexico that has closed Furnace Creek Rd, (via Hwy 264) a vital link between Fish Lake Valley (through the White Mountains) and the Bishop area. The group filed the suit noting impacts to the riparian area brought by ORV's. Mr. Kirby stated the importance of recreationists to the local economy. A majority of people on the California side also support the road remaining open. A total of 7 stream crossings are in question, with at least 3 listed as high priority for mitigation by the USFS.
- A \$740 K grant was acquired for studying geothermal resources in the county.
- A bill draft request will be introduced to the legislature to create Monte Cristo State Park in Esmeralda County.

Chuck Pulsipher, alternate- Clark County

- Concern about affordable housing appears to be driven primarily by perception. There is currently a 20 year supply of land in the county. Even so, there is a perceived land supply problem, without including acreages in the new BLM disposal areas yet to be released.
- Other major concerns are those related to infrastructure, specially EMS services and transportation in the region.
- Infill growth is being encouraged to mitigate for growth issues.
- High density mixed use developments are also being considered to address growth.
- Continuing air quality PM-10 challenges
- Water concerns from drought is forcing revision of development standards/use restrictions
- Rural growth is escalating along with prices. Tailored rural codes are being developed for these areas.
- Other work included multiple species conservation plans.

Ms. Eklund-Brown inquired if this work included any work with grasslands. **Mr. Pulsipher** commented that XXX Land outside the disposal boundary is valued at \$550 and acre. The county has been land banking in this area. **Mr. Pulsipher** asked about potential updates to these plans. **Mr. Pulsipher** mentioned that a county takes a risk when amending these plans because other issues can arise that may increase scrutiny. **Ms. Wilcox** asked what the game plan was for Clark County. **Mr. Pulsipher** stated they were addressing the entire county, over 2 million acres in total, including Red Rock NRA, Lake Mead and Valley of Fire State Park. A total of 176,000 acres would be available if developed at a higher density.

Mr. Canfield inquired about the potential for development on the Clark County side of Coyote Springs. **Mr. Pulsipher** said that a development concept plan had been approved for 5000 units. **Mr. Higbee** stated he thought the numbers were closer to 12,000 units.

Sheldon Bass- Nye County

Mr. Bass started by saying his county has been very busy with proposals in the Pahrump region. He updated the group by saying a new master plan was updated in December 2003 and that on July 15th 2004 a new zoning and maps took effect.

- In addition a task force recently completed a development agreement ordinance which was adopted by the county commission.
- A Capitol Improvement Project study was undertaken to address county needs.
- Pahrump is also looking into impact fees and GID setup to address development.
- A roof tax is being considered at \$1600.00 per roof for schools. This would be applicable to single dwellings or entire subdivisions.
- Pahrump has contracted out for a wastewater master plan and the plan should be done within 6 weeks.
- Entered into contract to study a new dam on the east side of the Spring Mtns at Weaver Wash.

Ms. Wilcox asked if the land in question would be on USFS or private holdings. **Mr. Bass** said it was USFS managed lands. **Mr. Bass** also mentioned his frustrations with working with Wal-Mart as well. **Mr. Bass** stressed that water is the limiting factor in the Pahrump Valley. There are 100K homes planned for the areas but only enough water for about 12K new homes.

- The valley water rights are currently over 300% over-allocated. It is hoped that within 10 years there will be a valley-wide water-sewer system in place.
- Dust suppression continues to be a challenge.
- Road paving of 65-75 miles a year.
- Last year \$4.2 million was spent to address the issue.
- There is over 300 acres of nearby Alfalfa fields that are not subject to the same dust rules.
- NDEP has placed a new staff person and office in Pahrump.

Ms. Eklund-Brown inquired if complaints were being filed by individuals or govt employees in the area? **Mr. Bass** stated that typically it was a competitor of a related business.

Mr. Higbee said that it is likely that these suburban pressures will soon be facing other rural counties.

Mr. Bass asked why high density developments are coming to rural areas. He referred to over 1900 acres of high density mixed use lands in a Henderson Planned Community where this sort of density was more understanding. **Mr. Bass** further stated that developments have been approved recently for 850, 651, 3200, 5160 and 900 units. **Larry Walsh** of Douglas County asked if there have been transportation planning problems associated with the development proposals. **Mr. Bass** said the region is trying its best to address access concerns.

Art Johnson- Alternate for Mineral County

Mr. Johnson mentioned the urgent need for training of the county's planning commissioners since 4 out of 7 were newly appointed. A new master plan is being developed for the county to update the 1998 version. It has been under development for one year and is draft form.

- A counter- terrorism training company is considering a location in the Hawthorne area.
- There are rumors of 2 additional companies interested in the region.
- Shelly Hartman has been working hard to attract new business as the new EDA officer.

- Sky View Academy of Idaho is in the process of getting approvals for operating a youth correction camp in Babbitt.
- The county has been using business licenses to limit group homes in residential areas. The ongoing master plan will address these conflicting uses better.

Mr. Johnson stated that the Babbitt area is vacant and unlikely to produce any neighboring complaints for a use such as Sky View. **Mr. Pulsipher** said that Mineral County should proceed with caution when regulating certain uses like group homes, which are protected by statute.

Varlin Higbee- Lincoln County

- The county needs to update its Master Plan to address potential growth of new areas as a result of proposed land disposals from the recently passed Lincoln County Lands Bill.
- A development agreement ordinance was recently passed by the County Commission.
- Coyote Springs is in its early stages of development- A golf course clubhouse should be done in April.
- Consultants will be hired for the review of any new large scale developments in the county.
- GID's will be used to ensure infrastructure for new development.
- Lincoln County is concerned about spillover effects from Coyote Springs development on Clark County side of line. Infrastructure and public safety are especially of concern.

Bret Tyler inquired where other counties are at implementing new state EMS rules. **Mr. Bass** commented that several counties have used Yucca Mtn funds to make these improvements. **Ms. Eklund-Brown** asked about the status of Yucca Mtn. **Mr. Bass** replied that funds received were only for \$136 of \$460 million of that requested. New casks will be required for storage as a result of recent court case.

Sheri Eklund-Brown- Elko County

- The Wendover federal legislation for annexation is ongoing.
- A new VA medical center is a possibility with a partnership from the college, hospital, VFW. The center would be administered from Salt Lake City. The county has contributed \$100K thus far, the mining industry has anteed up another \$100K.
- There is a proposed Union Pacific loading facility being proposed for Elko County with EPA currently completing studies related to the proposed operation.
- Community Development Block Grant need analysis being done with the county contributing \$15K and Barrick Mining giving another \$15K.
- South Canyon Road Issue may be resolved soon. US Fish and Wildlife Service is developing a new plan to address concerns over the Bull Trout and Elk.
- New lobbyist hired by county to address property tax hikes, unfunded mandates, consolidated tax issues in mining dependant counties.
- Dale Porter has been busy coordinating the California Trails Center in Elko County. Viewshed easements are being proposed through the use of Southern Nevada Public Lands Management Act monies.
- A GIS study is in the works to assess the counties land use base.

- A new water tank is being planned for Midas.

Mr. Mickelson inquired if the Wendover exchange was still likely. **Ms. Eklund-Brown** claimed it was, but there were still issues to be worked out between the states centering around school debts.

Larry Walsh- Douglas County

- Affordable housing a big concern for Douglas County. Land Prices are now approaching \$80K to \$165K per acre.
- Transfer of Development Rights program finally coming to fruition with first development transfers of 3000 acres occurring in 2005. The program started in 1996.

Mickey Yarbrow-Lander County

- The California Trails Center in Elko County will have a big effect on the Humboldt River corridor was completed.
- The county has been trying to deal with junk trailers used for housing.
- The county is applying for a grant to fund a new water system and to address arsenic standards.
- There is proposed study of mining facilities and multi-use of the structures during down turns in the mining industry.
- NDOT is making improvements on Broad Street and Front Street with curbs, gutters, streets and sidewalks.
- Austin Airport is being graveled and the Battle Mtn airport is being re-surfaced at 7000 feet long and 150 width.
- Austin landfill is now closed all wasted is being trucked to Battle Mtn.

PUBLIC COMMENT

None

COUNCIL MEMBER COMMENTS

No further comments were made.

COUNCIL DISCUSSION AND RECOMMENDATIONS

There was no further discussion or recommendations made by the Council on any previous items that were presented.

FUTURE MEETING CONSIDERATIONS

There was a brief mention of an upcoming meeting being held in or near Carson City to coincide with the closed of the legislative session. Topics of interest included; annexations, high density development, water law update, overall session update.

ADJOURN

The meeting was adjourned at 9:15 pm.

Clint Wertz, Land Use Planner
Meeting Recorder

These minutes should be considered draft minutes pending their approval at a future meeting of the State Land Use Planning Advisory Council. Corrections and changes could be made before approval.

The meeting was tape-recorded. Anyone wishing to listen to the tapes may call (775) 687-4364 ext. 236 for an appointment. The tapes will be retained for three years.